

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

Intellectual Property Law 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025

FACSIMILE: (310) 820-5988

FACSIMILE COVER SHEET

		Deliver to:	DEREK A. PUTONEN, USPTC)	_ Art Group: PCT Legal Office				
Facsimile No.: <u>1703-308-6459</u>					Date: February 19, 2004				
		From:	Eric S. Hyman, Reg. No. 30,139						
0	ur D	Docket No.:	4890P001	Number of pages11 including this sheet.					
Application No.: <u>09/890,867</u>					Filing Date: 8/1/2001				
				١	Docket Due Date(s):				
E			e following documents:		•				
					Issue Fee Transmittal				
		Appeal Brief	(in triplicate) (pgs)		Notice of Appeal				
		Application:			Petition for:				
			(pgs) w/cover & abstract)		Request for Continued Examination (RCE)				
		Assignment	& Cover Sheet (pgs)		Reply Brief (pgs)				
		Certificate of	of		Request & Certification Under 35 USC 122(b)(2)(B)(i)				
200		Continued F	Prosecution Application (CPA)		Request to Rescind Previous Nonpublication Request				
		Declaration	& POA (pgs)		Response to Notice of Missing Parts & Formalities Letter				
		Drawings: _	sheets, figures		Response to Written Opinion (pgs)				
		Extension o	f Time:		Terminal Disclaimer				
		Fee Transm	littal (in duplicate)		Transmittal of Publication Fee Due				
		IDS & PTO/	SB/08 (pgs)		Transmittal Letter				
	×	PCT	egal Office, Attn: Derek A. Putonen						
	CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1,8A) I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.								

Linda D'Elia Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty In receiving, please call: (310) 207-3800 and ask for Linda D'Elia.

Our Ref. No.: 004890.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Legal Examiner: Richard Cole LOH Application No: 09/890,867 PCT No: PCT/\$G00/00012 Petitions Attorney: Derek A. Putonen Int. Filing Date: 31 January 2000 Priority Date: 02 February 1999 PCT Legal Office Attorney's Docket No: 4890P001 For: METAL CASTING

Attention: Derek A. Putonen PCT Legal Office

Commissioner for Patents Box PCT Alexandria, Virginia 22313-1450

LETTER

Dear Mr. Putonen:

Further to a telephone message you left this date, enclosed is a true copy of a Response To Communication and Notification of Abandonment which was filed September 25, 2002. Also enclosed is a copy of the postcard receipt showing its filing on September 25, 2002.

This is responsive to your telephonic message wherein you indicated that you had not received this response and requested that I fax you a true copy along with the postcard receipt.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: February 19, 2004

12400 Wilshire Boulevard Seventh Floor
Los Angeles, California 90025 (310) 207-3800

ESH/Imd

. Hyman, Reg. No. 30,139

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to Mail Stop – Attn: Derek A. Putonen, Box PCT, Commissioner for Patents. Alexandria, Virginia 22313-1450
On the dam shows below

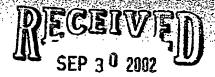
2-19-2004

February 19, 2004

Attachments:

(1) copy of Response To Communication and Notification of Abandonment; and

(2) copy of postcard receipt



BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LOS ANGELES

Serial/Patent No.: 09/890867 Client: Descus fatent Title:	Filing/Issue Date:
BSTZ File No.: 4890 9001 Date Mailed: 4-(9-0) The following has been received in the U.S. Ps	Atty/Secty Initials: 65 # 153 Docket Due Date: 1-12-2001 atent & Trademark Office on the date stamped hereon:
Amendment/Response (pgs.) Appeal Brief (ogs.) (in criplicate)	Express Mail No.: Check No. Amt.
Application - Utility (pgs., with cover and absuract) Application - Rule 1.53(b) Continuation (pgs.)	himmion Dirikaar Salament & PTO 1449 (pgs.) Salament & PTO 1449 (pgs.) Check No
Application - Rule 1.53(b) Divisional (pgs.)	Notice of Appeal
Application - Rule 1.53(b) CIP (pgs.) Application - Rule 1.53(d) CPA Transmittal (pgs.)	Petition for Extension of Time Petition for
Application - Design (pgs.) Application - PCT (pgs.)	Postcard Power of Attorney (pgs.) SEP 2 5 200
Application - Provisional (pgs.) Assignment and Cover Sheet	Preliminary Amendment (pgs.)
Cartificate of Mailing	Response to Notice of Missing Parts
Declaration & POA (pgs.) Declaration & Oig & Copy of Ineriods Signed Lotter(pgs)	Small Emity Declaration for Indep. Inventor/Small Business Transmirtal Letter, in duplicate
Forawings: # of sheets includes figures	Fee Transmittal, in displicate
	Meating and Not heaton of
Postcard receipts The	Mary Marien
1/	" in the same of t

W'





PTO/5B/21 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless if deplays a valid OMB control number.

TDAN	CMUTTALE		Application No.	09/8	90,867		
	SMITTAL F		Filing Date	Aug	rust 1, 2001		
(to be used for al	ll correspondence af	ter initial filing)	First Named Inventor	Pen	g Loh		
			Group Art Unit				
			Examiner Name				
Total Number of	Pages in This Submission	on 7	Attorney Docket Num	per 489	0P001		
	ENCLO	SURES (chec	k all that apply)				
Fee Transmitta	l Fam	Assignmen (for an App	t Papers lication)		After Allowance Communication to Group		
Fee Atta	ched	Drawing(s)	1		Appeal Communication to Board of Appeals and Interferences		
Amendment / R	esponse	Licensing-re	elated Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Fin	al s/declaration(s)	Petition			Proprietary Information		
Extension of Tin	ne Request	Petition to Convert a Provisional Application			Status Letter		
Express Abando	onment Request	Power of Attorney, Revocation Change of Correspondence Address			Other Enclosure(s) (please identify below):		
Information Disc	closure Statement	Terminal Disclaimer			Response to communication and Notification of		
Certified Copy of Document(s)	of Priority	Request for Refund			Abandonment t/w pgs 1 & 13 of docket; postcard		
Response to Mis Incomplete Appl	ssing Parts/ ication	CD, Numbe	r of CD(s)		receipts		
Response Parts und	e to Missing ler 37 CFR	Remarks	_]				
1.52 OF 12							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Fim .	I Enc S. Hyman, Reg. No. 30 139						
Individual name	BLAKELY, S	SOKOLÓFF, TAYLOR & ZAFMAN LLP					
Signature		20					
Date	September 19,	2002					
	CERTIFIC	ATE OF MAILI	NG/TRANSMISSION				
I hereby certify that this postage in an envelope	correspondence is being addressed to: Assistant (denosited with the	Linited States Beetal C	andes sa [
Typed or printed na	me L./Shapiro				September 19, 2002		
Signature	M	ンレー		Date	September 19, 2002		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time with vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Officer, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Signature

09/19/02

Date



PTO/SB/17 (11-01)

Approved for use through 10/31/20/2 OMB 0551-0032

U.S. Patent and Tradsmark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FFF	TDANICA	AITTAI					Complete if	Known		
ret	TRANSI			Application	n Num	ber	09/8	390,867		
	for FY 20	02		Filing Da	æ		Aug	ust 1, 200	1	
P	atent foes are subject to arress	al nevision.		First Nan	red Inve	ntor	Pen	g Loh		
Applicant cla	ims small entity status.	See 37 CFR 1.27.		Examine	r Name					
				Group/Ar	t Unit		T			
TOTAL AMOU	INT OF PAYMENT	(\$)	0.00	Attomey	Docket	No.	4890	P001		
METHO	D OF PAYMENT	check one)				FE	E CALCULATI	ON (continu	ed)	
			3.	ADDITIO	NAL F	EES				
Check Cre	quend Outer	Other 🔀 No		Large Entity	. Centi	l Entity				
Deposit Account			I	Fec Fee	Fee	Fee	-			
Deposit			٥ ا ١	ode (\$)	Code	(\$)	Fe	e Descripton		FeePad
Account Number	02-2666] [.	105 130	205	65	Surcharge - late filing	fee or oath		
Deposit			i '	127 50	227	25	Surcharge - late provi	isional filing fee or		
Account Blake	ly, Sokoloff, Taylo	& Zafman LLP		139 130	139	130	Nor-English specifics	tion		<u> </u>
The Commissioner is a	uthorized to: (check all that	eoptv)		147 2,520	147	2,520	For filing a request for		nation	
Charge fec(s) indicat	·	edit any overpsyments	1	112 920	112	920 1		n of SIR prior to		
	166(s) required under 37 CFF		_{20.} 1				Examiner action	4015		
-			~ ·	113 1,840	113	1,840 '	 Requesting publication 	on of SIR after		1
Charge fee(s) indicate to the above-distribution	ted below, except for the filli d deposit eccount	ig ies	ı	115 110	215	65	Extension for reply wi	ithin first month		
	FEE CALCULATIO	V.		116 400	215	200	Extension for reply wi	thin second month		
1. BASIC FIL				117 920	217	480	Extension for reply wi	thin third month		
	all Entity			118 1,440	218	720	Extension for reply wi	ithin fourth month		
Fee Foc Fee	Fee Fee Description	Fee:Pa	id bi	126 1,960	226	980	Extension for reply wi	ithin fifth month		
			I I	119 320	219	160	Notice of Appeal			
101 740 201				120 320	220	180	Filing a brief in suppo	rî çî an appezi		
105 330 206 107 510 207		<u> </u>	_	121 290	221	140	Request for oral heart	**		
108 740 209				138 1,510	136	1,510	Petition to institute a		ling	
114 160 214				140 110	240	55	Potition to revive - un	avoidable	-	
			= -	141 1,280	241	540	Petition to revive - un	intentional		
	SUBTOTAL (1)	(\$)		142 1,280	242	640	Utility issue fee (or re	issuo)		
2. EXTRA CL	AIM FEES Edga	Fee from		143 480	243	Z 30	Dasign issue fee			
	Claims	below FeeP	ži –	144 620	244	310	Plant issue fee			<u> </u>
Total Claims	_ 20 _ 0 X	18.00 = \$0	.00	122 130	122	130	Petitions to the Comm	nissioner		
Independent Claims	` 3* <u> </u>	84.00 = 50	.00	123 50	123	50	Prosessing tee under	37 CFR 1.17(q)		
Muttiple Dependent]		_]	125 180	126	120	Submission of Inform	alion Disclesure S	iunt	
	II Entity		_	SB1 40	5 81	40	Recording each pater property (times numb	ne di nempiasa tr		
Fee Fee Fee Code (S) Cod								. , ,		
103 18 203		of 20		14G 74D	246	370	Fling a submission of (37 CFR § 1.129(a))	rer inal rejection		
102 84 202				149 740	249	370	For each additional in	vențion to be		
104 260 204	140 Multiple Depends	nt claim, if not paid					examined (37 CFR §			1 1
109 84 209	Reissue indepen palant	dent cisims over original		179 740	279	370	Request for Continued	•	E) _	
440	·		1	165 900	189	900	Request for expedited of a design application			
110 18 210	9 "Reissue chaims i original patent	n excess of 20 and over	Ott	ner fee (specify	· 1		_ ,,			
	SUBTOTAL (2)	(5)	—!	,	,					
Vac 2000 to	• •		.00	duced by Basic I	™ng Fee F	aid	:	SUBTOTAL (3)	(\$)	
	rcviously paid, Il greater, For R	CISSUES, SEE DELOW		···			<u></u>			
SUBMITTED B	Υ							Comp	olete (if applica	ble)
Name (PnnVType)	Eric S. Hyman	\bigcirc		Registration (Attorney/Ago		3	30,139	Telephone	(714) 55	7-3800
	1				.7		- ,		I \ \ [_/	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burdon Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Our Ref. No.: 004890.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Evanina
Peng Loh)	Examiner:
Serial No. 09/890,867	Art Group:
Filed: 8/1/2001	
For: METAL CASTING)	;

RESPONSE TO COMMUNICATION AND NOTIFICATION OF ABANDONMENT

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

This is in response to a Communication and Notification of Abandonment mailed August 12, 2002.

The Communication indicates that the present application is abandoned for failure to complete the requirements of 35 USC 371(c) for entry into the National Stage in the United States as indicated in a Notification of Missing Requirements allegedly mailed on October 1, 2001.

In response, and as noted in the Requests for Status mentioned in the Communication filed February 1, 2002 (mailed January 8, 2002 as evidenced by certificate of mailing) and filed April 11, 2002 (mailed April 1, 2002 as evidenced by certificate of mailing), Applicant had not received any communication from the United States Patent and Trademark Office other than a postcard receipt indicating receipt in the receiving office on August 1, 2001 (incorrectly specified in the Requests for Status due to typographical error as August 10, 2001). Applicant notes that in the Communication it is alleged that the Notification of Missing Requirements was mailed on October 1, 2001. Assuming this to be true, had such notification been mailed and received the due date to reply to the



Notification would have been docketed by the attorneys of record, two months after the alleged mailing date, i.e., December 1, 2001. In this connection, submitted herewith is a copy of a portion of a docket report showing the due date December 1, 2001 including pages 1 and 13 of a 32 page report. Page 1 is provided to show the report is for the due date of December 1, 2001. Page 13 is provided because the report is sorted by client and matter and, for this filing, for client matter number 004890.P001, the docket entry would have appeared on page 13 where indicated had the notification been received. Serial numbers have been blocked out due to confidentiality.

Accordingly, this is to request that the Notification of Missing Requirements under 35 USC 371 be mailed to the attorneys of record and assigned a new mailing date and mailed so as to provide Applicant with a two month period of time from such mailing date within which to reply.

Applicant notes that it is not in a position to file a petition to revive since Applicant cannot provide the information requested in the Notification of Missing Requirements which, as noted above, has not been received.

Respectfully submitted,

	•	
BLAKEL	Y, SOKOLOFF, TAYLOR & ZAFN	IAN
Dated: 9/19 2002		
,	Eric S. Hyman, Reg. No. 30,139	
12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025-1026 (310) 207-3800	I hereby certify that this corresponding the United States Postal Serven belope addressed to: Commission Trademarks, Washington, D.C. 2012	ice as first class mail in an oner of Patents and 0231, on
	Lynda Shapiro	Date



Docket prepared 9/18/2002



Atty	Client.Matter	Client Name	Country	Pat/Ser/Reg	Description
Saturday	, December 1, 20	01			•
SWS LNB	01090.951	Mr. Lou Adler		1,180,298	US TM renewal deadline
SKD EHT LNB	01340 . T012	Voyan Technology			Watch for first office action
TMC	02031 . P001	Superior Radiant Insulation, Inc.		5799461	First maintenance fee due 3/1/2002; follow up as necessary
Received les	tter from client instru	r to client regarding deadli cting BSTZ to pay maintend ase was added to the CPI B	ance fee - TMO	Cismo	
RWB	02106 . p014x	Inovate Manufacturing		4007 220.	Response due to file corrected application papers.
11/8/01 - Pla	ease add JAH initials ((jc)			<i>p.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</i>
GWH	02150 . P003xd	Sam Ahn		5,843,170	First maintenance fee due 6/1/2002; notification letter to client
ж	02193 . P001	Luminex Software, Inc.		5802327	First maintenance fee due 3/1/2002; follow up as
Added to aut	o-pay account 10/1/0.	1. (10/1/01 cmw)			necessary .
MES	02240 . P097	Trimble Navigation Ltd.			Two months since final oa was mailed
MES DEO	02240 . P106	Trimble Navigation Ltd.			Reminder:Issue fee due/Formal drawings due by 2/1/02
LNB DFA	02252 . G041	Sage Publications, Inc.	СТМ		Response due associate, arbitrary date



Docket prepared 9/18/2002



Atty	Client.Matter	Client Name Cou	ntry Pat/Ser/Reg	Description
MAB SKW	04887 . P609PCT	Applied Materials, Inc. PCI	US01/2	Watch for Search Report; Amended claims to be in Geneva two months from receipt of Search Report
4062 ETCH	I/DICP/JB			
skw	04887 . P624PCT	Applied Materials, Inc. PCT	US01 /	Check PCT date docketing - PCT dates docketed on 10/18/2001
5181/cpes/co please clear				
MAB SKW	04887 . P624PCT	Applied Materials, Inc. PCT	US01/	Watch for Invitation
5181/cpes/co	oreld skw 8/5/02			
MWH	04896 . T010	California Early Literacy Learning	173,681	Watch for Certificate of Registration
MWH	04896 . T017	California Early Literacy Learning	189,177	Watch for Certificate of Registration
DMD lnb	04906 . T007MY	Redback Networks Inc. Mala	iysia 🔭 💮	Watch for first office action
TVN RST	04926 . P001	Global Board of Trade	Organi	Watch for first office action
EHT	05004 . P001EP	Grischa Corporation EPO	Carrie Carrie (Carrie)	Reminder:Deadline to file response in EPO is
H T	05004 . P022	Grischa Corporation		1/1(hard deadline 2/8) Reminder:Deadline to file utility application based on provisional/Foreign filing deadline is 6/1/2002
HS	05147.P001	Klaus Bībl		F/F priority deadline

^{7/}F letter to client 6/8/01. (6/8/01 cmw) Application has been PCT filed. (12/03/01 cmw)



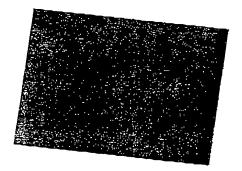
FEB 2 5 2002

STATUS DB-LA



BLAKELY, SOKOLOFF, YAYLER & ZAFMAN LOS ANGELES

			A STATE OF THE LOCAL PROPERTY OF	74		
A SIMP TO A	. 2987 VSAS [2]					
Client OVE	Acres Data		Fifting/layer	obac P	tor .	
- Inter			V		1654 to 500 200 to	
			Value of the second		No. of Paragraphy	
BSIZEEN	DAYAA	2		60.00	e de la companya del companya de la companya del companya de la co	
Date Mailed		400	Ally/Necty	Initiales &	H MVS	
The following	has been real		Docker Dir	Date		
Amendiacutic	Police 1 1975	es en la constante	or & Trademar	L Office on th	e date gramma.	
						TETEDIT.
The second secon	1 The Control of the			military transaction		The Committee of the Co
A STATE OF THE PARTY OF THE PAR	IC 1003(DEC)		de la constanta de la constant	DENIES PROPERTY	Book of CL there	
					X1.00 (1)	
A Maneaum - Ki	e 436YATBA	7 - 1 - COP - 1 - 1 - 2 - 2	Note of April		ZIP E	
The state of the	e 1 5 TOP of the		l Pentenian Franci	eta of Times	/00	
	TOTAL TOTAL TOTAL		Penne for Pennesa			ON.
Clarento, ec	Carrier Constitution					2
Application Pro	Cational (Configuration of the Configuration of th		Power of Address	Pers	FIR OT N	0 4 7 8
Assignment and C	over Sheet-		Preliminary Amend Reply Based (ment (Desi	2	
Designation & PO			Ketponse in Nonce	P	\	20
	ACdate income Selection		Small Earny Declar	or Spanning Emps	TRADEW	
	of them ocinies		The state of the s	The second secon	thirtSimil Branns	
			Fee Transmitted in	2.5		
KI Other 160	ual For S	4,7		ورزم دارو ی		
//						
			THE PROPERTY			
						420
	and the second second	ALL STREET				
					and the second state of the second	3.15.15.15.15.15.15.15.15.15.15.15.15.15.



PEST AVAILABLE COPY



APR 2 2 2002

BLAKELY, STEWLIFF, TA - 1 & ZAFMAN LOS ANGELES

App. No. 09/890.867. Filing Date:	BSTZ Dodget # 4890P001 Athy/Sac: 4890P001
Date Mailed 4-1-03 Docket Due Date:	Client: Oversess Patent Agency Inc
Title METAL CASTING - UTILITY	
	——————————————————————————————————————
Inventor(s)	7 / 2
The following has been received in the U.S. Patent 8	
O Amendment/Response (pgs)	Fee Transmittal (original & copy)
O Amendment/Response After Final (pgs)	O Form PTO-1533
O Appeal Brief & two copies: (pgs each) O Application - Rule 1.53(b)	O Information Disclosure Statement & PTO-1449 (FMASS)
O Application - Rule 1.53(b)(2)	O Issue Fee Transmittal
O Application - Rule 1.53(c) (pgs)	O Notice of Appeal
O Application - Rule 1.53(d)	O Petition for Extension of Time: (pg
O Application (pgs)	O Petition (pgs)
O Assignment & Cov. (pgs)	O Postcard
Certificate of Mailing	O Power of Attorney (pgs)
O Certificate of Facsimile & Malling	O Preliminary Amendment (pgs)
O Express Mail No.	O Repty Brief (pgs)
O Declaration & POA (Pgs) O Disclosure Docs & Inv's Signed Ltr	O Response to Notice of Missing Parts (pgs)
O Drawings: sheets, figures	O Small Entity Declaration for Indep. Inven/Sm. Business
Other Request for Status	Transmittal Form Chook Ma
O Onioi trethest in signif	O Check No Amount

Returned vali

Returned vali

Snagueal & PTU

to snagueal & PTU

40 Hessage

4.

BEST AVAILABLE COPY

************* *** RX REPORT *** *************

RECEPTION OK

TX/RX NO

6097

RECIPIENT ADDRESS

3108205270

DESTINATION ID

ST. TIME

02/19 18:50

TIME USE PGS.

01'50

RESULT

11

OK